

Senate Judiciary Committee Amendment No. 1 (by Kyle)

Amendment No. 1 to SB0385

**Person
Signature of Sponsor**

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 385*

House Bill No. 1203

by inserting the following new sections immediately preceding the effective date section and by renumbering subsequent sections accordingly:

SECTION _____. Tennessee Code Annotated, Section 40-11-302, is amended by deleting subsection (c) and by substituting instead the following:

(c) A professional bondsman may act as surety on the following civil bonds, to a maximum of ten thousand dollars (\$10,000), without qualifying with the department as an insurance company or agent being subject to the laws governing insurance companies or agents, so long as the court regulating the professional bondsman's criminal bonding activities has established regulations for the civil bonding activities of the professional bondsman which, at a minimum, shall require a ten percent (10%) security. These bonds are: appeal, attachment, certiorari, cost, detainer, injunction, lis pendens, possession, and restraining order. A professional bondsman may act as surety on appearance and contempt bonds without qualifying with the department as an insurance company or agent.

SECTION _____. Tennessee Code Annotated, Section 40-11-132, is amended by deleting from the first sentence the words "before the forfeiture of their undertaking".

SECTION _____. Tennessee Code Annotated 40-11-132, is amended by deleting the word "or" at the end of subdivision (1); by deleting the period at the end of subdivision (2) and by substituting instead a semicolon ";"; and by adding the following language as new, appropriately designated subdivisions:

(3) A forfeit, conditional or final, has been rendered against the defendant;

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(4) The defendant has failed to appear in court either as ordered by the court or as commanded by any legal process; or

(5) The defendant has been arrested while on bond.